

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

NATIONAL RAILROAD PASSENGER
CORPORATION (AMTRAK),

*

Plaintiff,

*

v.

*

CIVIL NO. JKB-24-0853

.025 ACRES MORE OR LESS OF LAND,
et al.,

*

Defendants.

*

* * * * *

MEMORANDUM AND ORDER

In this condemnation action, Amtrak, pursuant to 49 U.S.C. § 24311, has acquired 2026 West Lanvale Street, Baltimore, Maryland. The Court held a hearing regarding the just compensation for the property and set such just compensation at \$75,000. (ECF No. 64.) Amtrak deposited funds totaling \$75,000, which have been held in an interest-bearing account in the registry of the Court. (*See* ECF No. 9.)

The Court concludes that it has jurisdiction over all appearing and non-appearing Defendants, given the nature of this action and that all Defendants have been served by Amtrak. (*See* ECF Nos. 12, 33, 38 (status reports detailing service of process on Defendants).) Further, the time for filing motions for disbursement has long passed.

Four Defendants filed such motions: Tyrone White, Sr. (ECF Nos. 50, 55); State Farm Mutual Automobile Insurance Company (“State Farm”) (ECF No. 57); the Mayor and City Council of Baltimore City (the “City”) (ECF No. 60); and Donna Taft (ECF No. 67). State Farm withdrew its Motion (ECF No. 69), and the Court denied Ms. Taft’s Motion (ECF No. 68). Thus, the only remaining Motions are those filed by Mr. White and the City. They have filed a Joint Motion for Disbursement of Funds. (ECF No. 72.)

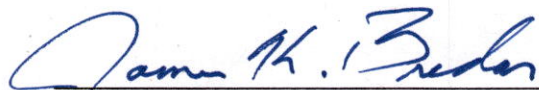
The Joint Motion seeks that the Court disburse to Mr. White \$42,913.24, plus accrued interest, and to the City \$32,086.76, plus accrued interest. (*Id.*) As provided in 49 U.S.C. § 24311(b)(4), “[o]n application of a party, the court may order immediate payment of any part of the amount deposited in the court for the compensation to be awarded.” Federal Rule of Civil Procedure 71.1(c)(4) provides that “[t]he court [] may order any distribution of a deposit that the facts warrant.” The Court concludes that the facts warrant the requested distribution. Mr. White has provided records reflecting his interest in the property (*see* ECF Nos. 50, 55), as has the City (*see* ECF No. 60).

Accordingly, it is ORDERED that:

1. The pending Motions for Disbursement (ECF Nos. 50, 55, 60) are DENIED AS MOOT and the Joint Motion for Disbursement of Funds (ECF No. 72) is GRANTED.
2. The Clerk is DIRECTED to issue and mail the following checks:
 - a. \$42,913.24 plus 57.2% of the accrued interest payable to Tyrone White, Sr., and mailed to him at 3311 Hillsmere Road, Gwynn Oak, Maryland, 21207; and
 - b. \$32,086.76 plus 42.8% of the accrued interest payable to the Director of Finance, and mailed to the attention of Thomas P.G. Webb, Esq., Baltimore City Law Department, 100 N. Holliday Street, City Hall – Room 101, Baltimore, Maryland 21202.
3. The Clerk is DIRECTED to CLOSE this case.

DATED this 20 day of December, 2024

BY THE COURT:

A handwritten signature in blue ink, reading "James K. Bedar", is written over a horizontal line.

James K. Bedar
United States District Judge